

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 LAFAYETTE DEAN BROOKS and
4 WELTON THOREN MYERS,

5 Plaintiffs

6 v.

7 KIMBERLY WANKER, et al.,

8 Defendants

Case No.: 2:19-cv-00973-APG-DJA

**Order Setting Deadline for Plaintiffs to File
a Response to the Motion to Dismiss the
Amended Complaint**

9 Defendant U.S. Bank Trust N.A. filed a motion to dismiss on September 17, 2019 that
10 was directed at the original complaint. ECF No. 17. The plaintiffs filed an amended complaint
11 on September 27, 2019. ECF No. 27. U.S. Bank Trust then filed a second motion to dismiss on
12 October 29, 2019, this one aimed at the amended complaint. ECF No. 31.

13 Because the amended complaint superseded the original complaint, I denied U.S. Bank
14 Trust's first motion to dismiss as moot. ECF No. 33. This apparently confused the plaintiffs,
15 who seek clarification as to whether they must respond to U.S. Bank Trust's motion to dismiss.
16 ECF No. 34. I now clarify for the plaintiffs that they must respond to U.S. Bank Trust's October
17 29, 2019 motion to dismiss (ECF No. 31) that is directed at the plaintiffs' amended complaint
18 (ECF No. 27). If they do not respond, I will grant U.S. Bank Trust's motion as unopposed. *See*
19 LR 7-2(d).

20 I THEREFORE ORDER that by December 20, 2019, the plaintiffs must file an
21 opposition U.S. Bank Trust's October 29, 2019 motion to dismiss (ECF No. 31). Failure to
22 respond to the motion will result in it being granted as unopposed.

23 DATED this 5th day of December, 2019.


ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE